

Bill No. SB 1532

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587-1848A-06

Proposed Committee Substitute by the Committee on Health Care

1 A bill to be entitled

2 An act relating to trauma services; amending s.

3 395.4001, F.S.; providing definitions;

4 repealing s. 395.4035, F.S., to terminate the

5 Trauma Services Trust Fund; amending s.

6 395.4036, F.S.; revising provisions relating to

7 distribution of funds to trauma centers and use

8 thereof; requiring the Department of Health to

9 adopt rules for purposes of calculating

10 payments to trauma centers; requiring that the

11 most recent calendar year data be used for

12 purposes of distributing funds to trauma

13 centers; creating s. 395.6062, F.S.; creating

14 the trauma center startup grant program;

15 providing for certain acute care general

16 hospitals to apply to the Department of Health

17 for a startup grant; providing requirements for

18 eligibility to receive a grant; requiring that

19 a hospital forfeit its grant funds if it does

20 not become a provisional trauma center within a

21 specified period after receiving a grant;

22 providing an appropriation; providing an

23 effective date.

24

25 Be It Enacted by the Legislature of the State of Florida:

26

27 Section 1. Section 395.4001, Florida Statutes, is

28 amended to read:

29 395.4001 Definitions.--As used in this part, the term:

30 (1) "Agency" means the Agency for Health Care

31 Administration.

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1 (2) "Charity care" or "uncompensated trauma care"
2 means that portion of hospital charges reported to the agency
3 for which there is no compensation, other than restricted or
4 unrestricted revenues provided to a hospital by local
5 governments or tax districts regardless of method of payment,
6 for care provided to a patient whose family income for the 12
7 months preceding the determination is less than or equal to
8 200 percent of the federal poverty level, unless the amount of
9 hospital charges due from the patient exceeds 25 percent of
10 the annual family income. However, in no case shall the
11 hospital charges for a patient whose family income exceeds
12 four times the federal poverty level for a family of four be
13 considered charity.

14 (3) "Department" means the Department of Health.

15 (4) "Interfacility trauma transfer" means the transfer
16 of a trauma victim between two facilities licensed under this
17 chapter, pursuant to this part.

18 (5) "International Classification Injury Severity
19 Score" means the statistical method for computing the severity
20 of injury sustained by trauma patients. The International
21 Classification Injury Severity Score shall be the methodology
22 used by the department and trauma centers to report the
23 severity of an injury.

24 ~~(6)~~(5) "Level I trauma center" means a trauma center
25 that:

26 (a) Has formal research and education programs for the
27 enhancement of trauma care; is verified by the department to
28 be in substantial compliance with Level I trauma center and
29 pediatric trauma center standards; and has been approved by
30 the department to operate as a Level I trauma center.

31 (b) Serves as a resource facility to Level II trauma

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1 centers, pediatric trauma centers, and general hospitals
2 through shared outreach, education, and quality improvement
3 activities.

4 (c) Participates in an inclusive system of trauma
5 care, including providing leadership, system evaluation, and
6 quality improvement activities.

7 ~~(7)(6)~~ "Level II trauma center" means a trauma center
8 that:

9 (a) Is verified by the department to be in substantial
10 compliance with Level II trauma center standards and has been
11 approved by the department to operate as a Level II trauma
12 center.

13 (b) Serves as a resource facility to general hospitals
14 through shared outreach, education, and quality improvement
15 activities.

16 (c) Participates in an inclusive system of trauma
17 care.

18 (8) "Local funding contribution" means funds from a
19 municipality, county, or tax district, exclusive of any
20 patient-specific funds received under ss. 154.301-154.316;
21 funds from a private foundation; or public or private grant
22 funds of at least \$150,000 which are received by a hospital or
23 health care system that operates a trauma center.

24 ~~(9)(7)~~ "Pediatric trauma center" means a hospital that
25 is verified by the department to be in substantial compliance
26 with pediatric trauma center standards as established by rule
27 of the department and has been approved by the department to
28 operate as a pediatric trauma center.

29 ~~(10)(8)~~ "Provisional trauma center" means a hospital
30 that has been verified by the department to be in substantial
31 compliance with the requirements in s. 395.4025 and has been

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1 approved by the department to operate as a provisional Level I
2 trauma center, Level II trauma center, or pediatric trauma
3 center.

4 ~~(11)(9)~~ "Trauma agency" means a department-approved
5 agency established and operated by one or more counties, or a
6 department-approved entity with which one or more counties
7 contract, for the purpose of administering an inclusive
8 regional trauma system.

9 ~~(12)(10)~~ "Trauma alert victim" means a person who has
10 incurred a single or multisystem injury due to blunt or
11 penetrating means or burns, who requires immediate medical
12 intervention or treatment, and who meets one or more of the
13 adult or pediatric scorecard criteria established by the
14 department by rule.

15 ~~(13)~~ "Trauma caseload volume" means the number of
16 trauma patients reported by individual trauma centers to the
17 Trauma Registry and validated by the department.

18 ~~(14)(11)~~ "Trauma center" means a hospital that has
19 been verified by the department to be in substantial
20 compliance with the requirements in s. 395.4025 and has been
21 approved by the department to operate as a Level I trauma
22 center, Level II trauma center, or pediatric trauma center.

23 ~~(15)~~ "Trauma patient" means a person who has incurred
24 a physical injury or wound caused by trauma and has accessed a
25 trauma center.

26 ~~(16)(12)~~ "Trauma scorecard" means a statewide
27 methodology adopted by the department by rule under which a
28 person who has incurred a traumatic injury is graded as to the
29 severity of his or her injuries or illness and which
30 methodology is used as the basis for making destination
31 decisions.

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1 ~~(17)(13)~~ "Trauma transport protocol" means a document
2 which describes the policies, processes, and procedures
3 governing the dispatch of vehicles, the triage, prehospital
4 transport, and interfacility trauma transfer of trauma
5 victims.

6 ~~(18)(14)~~ "Trauma victim" means any person who has
7 incurred a single or multisystem injury due to blunt or
8 penetrating means or burns and who requires immediate medical
9 intervention or treatment.

10 Section 2. Section 395.4035, Florida Statutes, is
11 repealed.

12 Section 3. Subsection (1) of section 395.4036, Florida
13 Statutes, is amended to read:

14 395.4036 Trauma payments.--

15 (1) Recognizing the Legislature's stated intent to
16 provide financial support to the current verified trauma
17 centers and to provide incentives for the establishment of
18 additional trauma centers as part of a system of
19 state-sponsored trauma centers, the department shall utilize
20 funds collected under s. 318.18(15) ~~s. 318.18(14)~~ and
21 deposited into the Administrative Trust Fund of the department
22 to ensure the availability and accessibility of trauma
23 services throughout the state as provided in this subsection.

24 (a) Twenty percent of the total funds collected under
25 this subsection during the state fiscal year shall be
26 distributed to verified trauma centers ~~located in a region~~
27 that have ~~has~~ a local funding contribution as of December 31.
28 Distribution of funds under this paragraph shall be based on
29 the department's Trauma Registry trauma caseload volume for
30 the most recent calendar year available.

31 (b) Forty percent of the total funds collected under

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1 this subsection shall be distributed to verified trauma
2 centers based on trauma caseload volume of the most recent
3 ~~previous~~ calendar year available. The determination of
4 caseload volume for distribution of funds under this paragraph
5 shall be based on the department's Trauma Registry data.

6 (c) Forty percent of the total funds collected under
7 this subsection shall be distributed to verified trauma
8 centers based on severity of trauma patients for the most
9 recent calendar year available. The determination of severity
10 for distribution of funds under this paragraph shall be based
11 on the department's Trauma Registry International
12 Classification Injury Severity Scores or other statistically
13 valid and scientifically accepted methods of stratifying a
14 trauma patient's severity of injury, risk of mortality, and
15 resource consumption as adopted by the department by rule,
16 weighted based on the costs associated with and incurred by
17 the trauma center in treating trauma patients. The weighting
18 of scores shall be established by the department by rule
19 ~~scores of 1-14 and 15 plus.~~

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21 Funds deposited in the department's Administrative Trust Fund
22 for verified trauma centers may be used to maximize the
23 receipt of federal funds that may be available for such trauma
24 centers. Notwithstanding this section and s. 318.14,
25 distributions to trauma centers may be adjusted in a manner to
26 ensure that total payments to trauma centers represent the
27 same proportional allocation as set forth in this section and
28 s. 318.14. For purposes of this section and s. 318.14, total
29 funds distributed to trauma centers may include revenue from
30 the Administrative Trust Fund and federal funds for which
31 revenue from the Administrative Trust Fund is used to meet

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1 state or local matching requirements. Funds collected under
2 ss. 318.14 and 318.18(15) and deposited into the
3 Administrative Trust Fund of the department shall be
4 distributed to trauma centers each quarter using the most
5 recent calendar year data that is available. Such data may not
6 be used for more than four quarterly distributions unless
7 there are extenuating circumstances, as determined by the
8 department, in which case the most recent calendar year data
9 available shall continue to be used and, as soon as the more
10 recent data becomes available, adjustments shall be made
11 accordingly. Trauma centers may request that their
12 distributions from the Administrative Trust Fund be used as
13 intergovernmental transfer funds in the Medicaid program.

14 Section 4. Section 395.6062, Florida Statutes, is
15 created to read:

16 395.6062 Trauma center startup grant program.--There
17 is established a trauma center startup grant program.

18 (1) The Legislature recognizes the need for a
19 statewide, cohesive, uniform, and integrated trauma system,
20 and the Legislature acknowledges that the state has been
21 divided into trauma service areas. Each of the trauma service
22 areas should have at least one trauma center; however, some
23 trauma service areas do not have a trauma center because of
24 the significant up-front investment of capital which is needed
25 by hospitals to develop the physical space, equipment, and
26 qualified personnel necessary to provide quality trauma
27 services.

28 (2) An acute care general hospital that has submitted
29 a letter of intent and an application to become a trauma
30 center pursuant to s. 395.4025 may apply to the department for
31 a startup grant. The grant applicant must demonstrate that:

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1 (a) There are currently no other trauma centers in the
2 hospital's trauma service area as established under s.
3 395.402.

4 (b) There is not a trauma center within a 100-mile
5 radius of the proposed trauma center.

6 (c) The hospital has received a local funding
7 contribution as defined under s. 395.4001.

8 (d) The hospital has incurred startup costs in excess
9 of the amount of grant funding requested.

10 (e) The hospital is pursuing the establishment of a
11 residency program in emergency medicine.

12 (3) Any hospital receiving startup grant funding which
13 does not become a provisional trauma center within 24 months
14 after submitting an application to become a trauma center must
15 forfeit any state grant funds received pursuant to this
16 section.

17 Section 5. For the 2006-2007 fiscal year only, the sum
18 of \$500,000 is appropriated from the General Revenue Fund for
19 deposit into the Administrative Trust Fund in the Department
20 of Health for the purpose of providing trauma center startup
21 grants under s. 395.6062, Florida Statutes. A single hospital
22 may not receive more than \$500,000, startup grant funds must
23 be matched dollar-for-dollar with a local funding
24 contribution, and startup grant funds shall be provided to a
25 hospital only once.

26 Section 6. This act shall take effect July 1, 2006.

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